

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Markmann et al.

Serial No.: 09/701,501

Filed: January 8, 2001

Confirmation No.: 5324

For: NOVEL LINOLEUM STRUCTURE AND

**AMENDMENT** 

TC 1700 MAIL ROOM

Assistant Commissioner for Patents Box Fee Amendment Washington, D.C. 20231

METHOD FOR PRODUCING SAME

Sir:

In response to the Official Action mailed July 19, 2002, Applicants respond as follows:

## REMARKS

Claims 1, 3-6, 8-13, and 16-18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 592,186 to *Bedford et al. Bedford et al.* is said by the PTO to disclose a method of reducing inlaid color designs upon linoleum surfaces such that the pattern does not wear away. *Bedford et al.* is said by the PTO to further disclose a coloring material being deposited on the surface of the linoleum and pressure being applied using rollers to cause the coloring material to penetrate the surface of the linoleum covering. The PTO additionally states that the top layer containing the color of material must be inherently marbled or speckled given that the coloring material comprises colorants of many different colors and thus the limitations of claims 5 and 9 are inherently met. Therefore, the PTO has